

**Offered by Councilor SAM YOON**



## **CITY OF BOSTON IN CITY COUNCIL**

### **HOME RULE PETITION**

- WHEREAS,* The Boston City Council is committed to providing the best education to all families living in the City. The establishment of public charter schools under state law directly enhances the quality of education for all Boston students by creating new education models and competitive choices for families; and,
- WHEREAS,* Not all public charter schools are successful, but those that are can reduce the achievement gap in Boston education. Due to charter school student success, enrollment applications are sky rocketing. At one charter school, Edward W. Brooke Charter School, there are over 1,100 applications for 100 seats; and,
- WHEREAS,* State law imposes limits on how many students may be enrolled at charter schools. Although individual schools set seat numbers, they are constrained by state law that limits attendance if it would cause the local school district's charter school tuition payments to exceed 9% of the district's net school spending. Although these financial limits are appropriate for certain charter schools that may be just starting or underperforming, such a stringent enrollment cap doesn't make sense for high performance schools; and,
- WHEREAS,* The demonstrated enrollment demand for certain institutions illustrates the need to consider raising the cap for certain schools that have a proven academic success rate. The Commonwealth already sets vigorous standards to become a charter school and continue in operation. Basing enrollment caps and tuition funding based on clear student achievement will increase opportunities for Boston students while recognizing fiscal concerns. **THEREFORE BE IT**
- ORDERED,* That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause 1 of Section 8 of Article II, as amended, of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

**PETITION FOR A SPECIAL LAW RE:**

**ESTABLISHMENT OF A CHARTER SCHOOL SMART CAP IN THE CITY OF  
BOSTON**

*Section 1.*

Notwithstanding section 89 of chapter 71 of the General Laws or any other general or special law to the contrary, in any fiscal year, the Boston Public School district's total charter school tuition payment to commonwealth charter schools established pursuant to M.G.L. c. 71, s. 89 shall not exceed nine (9%) percent of the Boston Public School district's net school spending; provided, however, that the Boston Public School district's total charter tuition payment to commonwealth charter schools may equal twenty (20%) percent of the school district's net school spending if the Commonwealth's Board of Elementary and Secondary Education determines that a commonwealth charter school, for which the Boston Public School district pays tuition, demonstrates multi-year success in closing the achievement gap based on criteria established by the Board. Any increase in funds shall be solely dedicated to increasing enrollment at those commonwealth charter schools that have demonstrated to the Board a multi-year success in closing the achievement gap. If the aforementioned multi-year success rate is established by the Board, the Commonwealth shall incur charter school tuition payments for siblings attending commonwealth charter schools to the extent that their attendance would otherwise cause the Boston Public School district's charter school tuition payments to exceed twenty (20%) percent of the district's net school spending.

*Section 2.*

The provisions of this act shall take effect upon its passage.